

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTOPHER WATERS,

Defendant.

Case No. CR21-017RSL

ORDER GRANTING
STIPULATED MOTION
REQUESTING
CONTINUANCE OF TRIAL
DATE

This matter comes before the Court on the parties' "Stipulated Motion Requesting Continuance of Trial Date." Dkt. # 16. Having considered the facts set forth in the motion, and defendant's knowing and voluntary waiver, Dkt. # 15, the Court finds as follows:

1. The Court adopts the facts set forth in the stipulated motion: specifically, that the government only recently completed an investigation into defendant's alleged participation in a conspiracy to import drugs into the Federal Detention Center, that the government has gathered relatively voluminous materials to be produced to the defense, that defense counsel wishes to review the material before making any decisions on how to proceed in the instant case, and that the COVID-19 pandemic has hampered the parties' preparations. Dkt. # 16. The Court accordingly finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

2. The Court finds that a failure to continue the trial date in this case would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

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1 3. The Court finds that the additional time requested between April 5, 2021 and the
2 proposed trial date of July 26, 2021, is a reasonable period of delay. The Court finds that this
3 additional time is necessary to provide counsel reasonable time to prepare for trial, considering
4 all the facts set forth above.

5 4. The Court further finds that this continuance would serve the ends of justice, and that
6 these factors outweigh the best interests of the public and defendant in a speedier trial, within
7 the meaning of 18 U.S.C. § 3161(h)(7)(A).

8 5. Defendant has executed a waiver indicating that he has been advised of his right to a
9 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
10 that right and consented to the continuation of his trial to a date up to and including August 30,
11 2021, Dkt. # 15, which will permit his trial to start on July 26, 2021.

12 IT IS HEREBY ORDERED that the trial date shall be continued from April 5, 2021, to
13 July 26, 2021, and pretrial motions are to be filed no later than June 11, 2021.

14 IT IS FURTHER ORDERED that the period of time from the current trial date of April 5,
15 2021, up to and including the new trial date, shall be excludable time pursuant to the Speedy
16 Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of
17 this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D),
18 (h)(7)(A), and (h)(7)(B)(i), (iv).

19 IT IS SO ORDERED.

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21 DATED this 9th day of March, 2021.
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25 Robert S. Lasnik
26 United States District Judge
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